IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 822 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 20/01/2005 in WP No : 8925 of 1995 on the file of the High Court.)

Between:

Kunkati Chandra Sekhar Reddy (Died) Kukati Paravathamma W/o K. Chandra Sekhar Reddy
R/o Gandhi Nagar, Nellore Town

..... APPELLANT

AND

1 The District Collector, Nellore, Nellore District
2 The Revenue Divisional Officer, Nellore District

..RESPONDENTS

Counsel for the Appellant: MR.P.SRIDHAR REDDY

Counsel for the Respondents : GP FOR REVENUE

The Court at the admission stage made the following:

ORDER: (Per BRSR,J)

The learned single Judge having set aside the declaration issued and published under Section 6 of the Land Acquisition Act, 1894 (for short "the Act") gave liberty to the respondents to proceed further in the matter, but only after making an appropriate enquiry under Section 5A of the Act. In our considered opinion, the view taken by the learned single Judge does not suffer from any infirmity as such.

Sri P.Sridhar Reddy, learned counsel for the appellant, however, submits that the observation made in the order "upholding the notification under Section 4 (1) of the Act" is likely to be misconstrued by the respondents whereby rendering the valuable right conferred under Section 5A of the Act to be a formality. We find no reason to entertain such apprehension by the appellant since the learned single Judge made it clear that further proceedings if at all in the matter shall depend upon the enquiry to be made under Section 5A of the Act, which means further proceedings as to the acquisition of the land depends upon the result of the enquiry under Section 5A of the Act.

With the clarification as above, the writ appeal shall stand disposed of.

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B. SUDERSHAN REDDY, J.

Date: 20/04/2005

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C.V. RAMULU, J.

GS/GRR

To

1. The District Collector, Nellore, Nellore District
2. The Revenue Divisional Officer, Nellore District

3. Two CCs to the G.P. for Revenue, High Court of A.P.,

Hyderabad (OUT)

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